

Message Text

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ORIGIN IO-03

INFO OCT-01 ARA-10 ISO-00 L-02 SCA-01 AF-04 EA-07 EUR-10

NEA-06 RSC-01 SS-14 SP-02 H-01 NSC-07 CIAE-00 INR-10

NSAE-00 PA-01 PRS-01 SSO-00 NSCE-00 USIE-00 INRE-00

SR-02 ORM-01 SIL-01 LAB-01 HEW-01 OIC-01 AGR-03 /091 R

DRAFTED BY IO/UNP:WEHEWITT:BKM

APPROVED BY IO:WBBUFFUM

ARA:WGBOWLDER

ARA/LA/USOAS:QMONSMA

L/ARA:DAGANTZ

SCA:FSMITH (SUBS)

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O R 101705Z OCT 74

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

INFO AMEMBASSY MEXICO

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E.O. 11652: N/A

TAGS: UNGA, SHUM

SUBJECT: 29TH UNGA--THIRD COMMITTEE: DRAFT RESOLUTION ON
MEASURES TO IMPROVE THE SITUATION OF MIGRANT WORKERS

REF: USUN 3848

1. RE DRAFT RESOLUTION TABLED BY MEXICAN DEL REPORTED
REFTEL, USDEL SHOULD INFORM SPONSOR THAT WE SHARE THEIR
CONCERN OVER HUMAN RIGHTS ASPECTS OF SITUATION OF MIGRANT
WORKERS. WE VERY MUCH REGRET THAT WE HAVE NOT HAD SUFFIC-
IENT TIME TO CONSIDER THE VARIED ASPECTS OF THE PROBLEM AS
RAISED IN MEXICAN DRAFT RESOLUTION. WE THINK THAT THIRD
COMMITTEE RESOLUTION ON THIS SUBJECT AT PRESENT SESSION
SHOULD BE LIMITED TO HUMANITARIAN ASPECTS. WE THEREFORE
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PROPOSE FOLLOWING REVISION OF OPERATIVE PARA 3(A) OF

MEXICAN DRAFT RESOLUTION AS FOLLOWS:

QUOTE. 3(A) TO EXTEND TO ALL MIGRANT WORKERS EQUITABLE AND HUMANE TREATMENT, INCLUDING THE RIGHTS APPLICABLE TO THEIR LEGAL STATUS WHICH EMANATE FROM THE NATIONAL LEGISLATION OF THE RECEIVING STATE. UNQUOTE.

PARA 3(B) TO BE DELETED.

2. AS A FALLBACK WE COULD ACCEPT A REVISED PARA 3(A) READING AS FOLLOWS:

QUOTE. 3(A) TO EXTEND TO ALL MIGRANT WORKERS WHO ENTER THEIR COUNTRIES LEGALLY OR SURREPTITIOUSLY EQUITABLE AND HUMANE TREATMENT, INCLUDING THE RIGHTS APPLICABLE TO THEIR LEGAL STATUS WHICH EMANATE FROM THE NATIONAL LEGISLATION OF THE RECEIVING STATE. UNQUOTE

PARA 3(B) TO BE DELETED.

3. IF SPONSOR IS WILLING TO REVISE DRAFT RESOLUTION AS PROPOSED ABOVE, USDEL AUTHORIZED TO VOTE IN FAVOR.

4. IF RESOLUTION IS NOT REVISED AND VOTE IS ON TEXT TRANSMITTED REFTEL, USDEL SHOULD ABSTAIN MAKING A LOW KEY EXPLANATION OF VOTE LIMITED TO THE FOLLOWING POINTS:

(A) USDEL IS DEEPLY CONSCIOUS OF THE SERIOUS HUMAN RIGHTS PROBLEMS RELATED TO THE SUBJECT OF THE EXPLOITATION OF MIGRANT LABOR. WE JOINED IN URGING ATTENTION TO THIS PROBLEM IN THE UN WHEN IT WAS FIRST RAISED IN ECOSOC IN JULY 1972. FOLLOWING UPON ECOSOC RESOLUTION 1706 (LIII) THE IMPORTANT STUDY ON THE PROBLEM OF THE EXPLOITATION OF LABOR THROUGH ILLICIT AND CLANDESTINE TRAFFICKING HAS BEEN UNDERTAKEN BY THE SUBCOMMISSION ON DISCRIMINATION AND MINORITIES. DRAFT RESOLUTION PROPOSED BY THE DELEGATION OF MEXICO RAISES A NUMBER OF SIGNIFICANT AND COMPLICATED ASPECTS WHICH REGRETTABLY WE HAVE NOT HAD SUFFICIENT TIME TO CONSIDER.

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(B) WE REGARD THE LANGUAGE OF PARA 3(A) AS PROPOSED IN MEXICAN DRAFT RESOLUTION AS BEING OVERLY BROAD AND IMPRECISE. IT IS THE POLICY OF THE UNITED STATES GOVERNMENT TO GIVE ALL MIGRANT WORKERS WHO MAY BE WITHIN THE BORDERS OF THE US, LEGALLY OR ILLEGALLY, EQUITABLE AND HUMANE TREATMENT. WE WOULD HAVE BEEN SATISFIED HAD OPERATIVE PARA 3(A) STRESSED A HUMANITARIAN FORMULATION ALONG THESE LINES.

(C) THE DISCUSSIONS IN THE THIRD COMMITTEE HAVE BEEN IN A
HUMANITARIAN CONTEXT. WE CONSEQUENTLY DO NOT BELIEVE THAT
THOSE ASPECTS OF THE PROBLEM COVERED IN OPERATIVE PARA
3(B) OF THE MEXICAN DRAFT RESOLUTION SHOULD BE INCLUDED
IN A RESOLUTION TO BE ADOPTED BY THIRD COMMITTEE. INGERSOLL

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